IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 22nd day of February 2005
Bail application no. 926 of 2004
Order on the bail application of accused

CRIMINAL SIDE

1. Jagbinder Singh S/o Nathi Singh
2. Rajveer Giri S/o Chiranji Lal
   Both R/o Village Algirpur
   P.S. Kotwali Dehat
   District Bulandshahar
   Uttar Pradesh ……Applicants

Versus

State of Uttaranchal …….Opposite Party

Arising out of Case Crime No. 175 of 2004
Under Sections 392 and 411 I.P.C.
P.S. Gopeshwar
District Chamoli

By the court

Hon'ble B.C. Kandpal, J.

The applicants have applied for bail in case crime No. 175 of 2004 under Sections 392 and 411 I.P.C. Police Station Gopeshwar, District Chamoli.

Heard Sri S.K. Mandal learned counsel for the applicants, learned A.G.A. and perused the record.

As per the prosecution case, golden bangles and the rings as well as golden chain is alleged to have been recovered from the possession of the applicant when they were arrested in District Bulandsahar.

Learned A.G.A. has argued that the applicants have been identified by the complainant and the recovered articles were also identified by the complainant.

The record shows that the identification parade was held in this case after about 55 days. The applicants have filed the copy of the newspaper dated 02.07.2004 which shows that the photographs of the applicants were depicted therein.

The applicants are in jail since 01.07.2004 and learned A.G.A. could not show any criminal history of the applicants.

Considering the facts and circumstances of the case, it is fit case for bail.

Let the applicants Jagbinder Singh and Rajveer Giri be released on bail on their executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of C.J.M. concerned.

(B.C. Kandpal, J.)

22.02.2005
ASWAL